

REMARKS

In this Amendment, Applicant has amended Claims 1 – 4 to specify different embodiments of the present invention and overcome the rejection. It is respectfully submitted that no new matter has been introduced by the amended claims. All claims are now present for examination and favorable reconsideration is respectfully requested in view of the preceding amendments and the following comments.

REJECTIONS UNDER 35 U.S.C. § 112 SECOND PARAPGRAPH:

Claims 1, 2 and 4 have been rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is respectfully submitted that the currently presented amendments clearly point out and define the embodiment of the present invention. More specifically, Claim 1 has been amended to replace “the open-air side” with “an open air side”. Claims 2 and 4 have been amended to replace “the inner side” with “an inner side.”

Therefore, the rejection under 35 U.S.C. § 112, second paragraph, has been overcome. Accordingly, withdrawal of the rejections under 35 U.S.C. § 112, second paragraph, is respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 102:

Claims 1 – 2 and 4 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Reinhardt et al. (US 6,520,506), hereinafter Reinhardt.

Applicant traverses the rejection and respectfully submits that the presently claimed invention is not anticipated by the cited reference. More specifically, Claim 1

has been amended to define the features not disclosed or suggested by Reingardt. The support for the amendment can be found on page 6, line 20 through page 7, line 1; page 7, line 22 through page 8, line 11; and page 7, lines 17 – 21, as well as Fig. 1

It is respectfully submitted that the sealing apparatus according to the present invention is for the universal joint and structurally distinguished from Reinhardt. In a sealing apparatus, which is used for the universal joint, a sealing lip thereof is subject to an inner pressure which is generated in the inner side due to the grease supply for the needle bearings. According to the present invention, not only a leakage of grease but also an occurrence of a defect, such as a lip inversion caused by generation of inner pressure, can be prevented. These features are not disclosed or suggested by Reinhardt.

Therefore, the newly presented claims are not anticipated by Reinhardt and the rejection under 35 U.S.C. § 102(e) has been overcome. Accordingly, withdrawal of the rejection under 35 U.S.C. § 102(e) is respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 103:

Claims 3 and 4 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Reinhardt in view of Mizuno Koichiro (JP 2002-098163), hereinafter Koichiro.

Applicant traverses the rejection and respectfully submits that the embodiments of present-claimed invention are not obvious over Reinhardt in view of Koichiro. The significant difference between the above invention as claimed and Reinhardt has been indicated above. In addition, Koichiro does not disclose or suggest the features of the pending claims.

According to MPEP 2143.01, the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430

(Fed. Cir. 1990). The advantages of the sealing apparatus according to the present invention are not disclosed or suggested in either Reinhardt or Koichiro.

In summary, the newly presented claims are not obvious over Reinhardt in view of Koichiro. The rejection under 35 U.S.C. § 103 has been overcome. Accordingly, withdrawal of the rejections under 35 U.S.C. § 103 is respectfully requested.

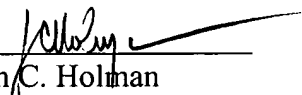
In addition, Applicant respectfully requests the Examiner to acknowledge that the certified copy of the priority document has been received in this application.

Having overcome all outstanding grounds of rejection, the application is now in condition for allowance, and prompt action toward that end is respectfully solicited.

Respectfully submitted,

JACOBSON HOLMAN PLLC

Date: February 9, 2007
(202) 638-6666
400 Seventh Street, N.W.
Washington, D.C. 20004
Atty. Dkt. No.: P70460US0

By 
John C. Holman
Registration No. 22,769